THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P. No. 1603 of 2004

Oral order:

Alleging that respondent Nos. 4 and 5 are interfering with the peaceful life of the petitioner and his family members, the present writ petition is filed.

The petitioner alleges that on 15.1.2004, respondent No.5 trespassed into his residential Flat bearing No. 302, Lakshmi Shri Park View, Ashok Nagar, Hyderabad, and misbehaved with his daughters and women folk, in the guise of enquiring the whereabouts of one Mr. Anantha Jagirdar, employee of Indian Overseas Bank, who is said to be involved in Crime No.88/2003. The petitioner further alleges that respondent Nos. 4 and 5, threatened the petitioner and his family members with dire consequences and kill him in a fake encounter. The petitioner alleges that respondent No.5 had already arrested the said Anantha Jagirdar, in his presence at Lakdikapool, Hyderabad on 23.1.2004, but did not produce him before the Court and they are torturing him both mentally and physically and exerting pressure to extract forceful confession from him. Hence the writ petition.

Pursuant to receipt of notice in the writ petition, respondent No.5 filed counter on behalf of the respondents denying the allegations made by the petitioner in the writ petition. It is stated that the petitioner is in no way concerned with Crime No. 88/2003, for he is neither a complainant nor an accused in the said crime. The said crime was registered against one Anantha Jagirdhar S/o Bindu Rao Jagirdhar, who is a resident of Flat No. 302, Lakshmi Shri Park View, Ashok Nagar, Hyderabad, and when the articles were recovered from the said flat on 30.1.2004 neither petitioner nor his family members were present. It is also stated that the said Anantha Jagirdar was arrested on 30.1.2004 and was produced before the Court concerned on 31.1.2004 as per law. The petitioner, who is a friend of Anantha Jagirdhar, apprehending that police may take action even against him, filed the present writ petition. The counter states that the petitioner was never called to the Police Station nor was he harassed, and as such, prayed that the writ petition be dismissed.

In view of the averments made in the counter filed by respondent No.5 denying harassment of the petitioner and his family members by the police and that he was never called to the Police Station, no orders need be passed in the writ petition.

Accordingly, the writ petition is closed. No costs.

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N.V.RAMANA, J

Date: 14.9.2005

DA/MRR

THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P.No. 1603 of 2004

14.9.2005

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P. No. 1603 of 2004

Dated : 14.9.2005

Between:

Shai Afzal

.. Petitioner

and

The Government of A.P., rep. by its

Home Secretary, Secretariat Buildings,

Hyderabad & others.

.. Respondents